

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

TANAKA et al

Att. Ref.: 914-173

Serial No. 10/670,195

Group: 1753

Filed: September 26, 2003

Examiner: Barton, Jeffrey
Thomas

For: SOLAR CELL AND FABRICATION METHOD
THEREOF, INTERCONNECTOR FOR SOLAR CELL,
SOLAR CELL STRING, AND SOLAR CELL MODULE

* * * * *

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

ELECTION UNDER 35 USC §121

In response to the Office Action dated February 5, 2007 holding the subject matter of Invention I to be non-obvious and patentably distinct from that of Inventions II and III, Applicant(s) hereby elect Invention I (upon which claims 1-3 and 8 - 11 are readable) for further substantive examination.

Further, Applicant(s) elect Species A (upon which claims 1, 8, and 9 are readable) in the event that no generic claims of Invention I is found allowable.

This election is made without traverse. However, since a restriction requirement is never proper unless the subject matter of non-elected claims is indeed patentably distinct (i.e., inter alia, non-obvious under 35 USC §103) from the claims, the Examiner is requested to insure that such patentable distinctness is present before proceeding to make the requirement final.

It is respectfully requested that the non-elected claims be retained for use with a possible divisional application.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

TANAKA et al
Serial No. 10/670,195

Respectfully submitted,
NIXON & VANDERHYE P.C.

By: /H. Warren Burnam, Jr./
H. Warren Burnam, Jr.
Reg. No. 29,366

HWB:lsb
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100